

DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF ECONOMIC SUPPORT
ADMINISTRATOR'S MEMO SERIES

NOTICE 04-05

ISSUE DATE: 02/16/2004
DISPOSAL DATE: 12/31/04

RE: Children First Program
Policies and Allocations

To: Child Support Agency Directors
Tribal Child Support Agency Directors
W-2 Agency Directors
Tribal Economic Support Directors
Regional Administrators

From: Bill Clingan /s/
Division Administrator

Purpose

This memo serves to provide local agencies with the statewide funding allocations of the Children First Program for calendar year 2004, to review existing program policies, and to inform of the plan for program monitoring beginning in 2004. Individual Children First agencies have been advised of their allocations, and contracts will be sent to the applicable W-2 or child support agencies for their signing.

The Bureau of Child Support (BCS) allocated the available Children First funds to agencies that previously administered a Children First Program and had submitted the required Children First Program Plan and/or Program Plan Update. The 2004 allocation was maintained at the same level as in 2002-2003. Several counties have opted not to operate a program in 2004. Funds that were previously allocated to these counties will be reissued after BCS completes the annual review of program spending (in the past couple of years, this process has resulted in the deobligation and reallocation of funds). The calendar year 2004 allocations are attached to this memo.

Financial Requirements

- 2003 Wisconsin Act 33 (the biennial budget bill) maintained the Children First Program funding at the same level that it received in the 2002-2003 biennium. Funding each year of the biennium will be \$1.14 million.
- Children First administrative agencies may only claim reimbursement for actual costs of providing services for the program up to \$400 per participant in a 12-month period. If a non-custodial parent's (NCP's) enrollment in the program continues into a second year, it is

considered the same enrollment period and no further reimbursement is allowed. Allowable costs are limited to costs associated with providing employment and training services under a DWS approved plan.

- The Children First Program is funded with General Purpose Revenue (GPR) used as Maintenance of Effort (MOE) for Temporary Assistance for Needy Families (TANF). Children First funds may not be used for services authorized under Title IV-D of the Social Security Act for the administration of the child support program, or as a match for any other federal dollars. Children First administrative agencies receive allocations on an annual basis as addenda to the Wisconsin Works or child support DWS contracts based upon the availability of funds.
- Claims made on the Central Office Reporting (CORE) system must be submitted no later than 30 days after the month that the expenditure was incurred. The Division of Workforce Solutions (DWS) reimbursement policies for claiming Children First expenses on CORE remain the same at this time. Details on reporting of expenses and reimbursement and on funding deobligation are specified in the Children First contract or Contract Addenda issued to child support or W-2 agencies.
- Contract language for Child Support and Wisconsin Works agencies administering the Children First Program allows the Department to deobligate unexpended funds when the contract amount is under spent by 20% or more on a year-to-date basis. The Bureau of Child Support will monitor Children First contract allocations and spending levels throughout the contract period.

Program Registration

Wisconsin statute 767.295 outlines the circumstances under which an NCP may participate in the Children First program. When there is an action for modification of a child support order under s. 767.32, an order for support under s. 767.25(1), 767.51(3), or 767.62(4), Wis. Stats. or a contempt of court proceeding to enforce a child support or family support order, a court may order a non-custodial parent to register for a Children First program when all of the following conditions exist:

- The parent is able to work, and is presumed to be able to work full-time. The parent has the burden to prove that he/she is not able to work full-time.
- The NCP lives in a county/tribe that operates a Children First program under s. 49.36, Wis. Stats.
- If an NCP lives in a county/tribe other than the one that issued the order to participate in a Children First program under s. 49.36 Wis. Stats., he/she may participate in the program in his/her county of residence if that county/tribe operates the program and agrees to enroll the NCP.
- The parent works, on average, less than 32 hours per week, and is not participating in another employment and training program which meets guidelines established by the department.

- The parent's actual weekly gross income averages less than 40 times the minimum wage or the parent's earnings are less than his/her ability to earn, as determined by the court.
- If the court enters an order for participation in the Children First program, it shall order the parent to pay child support under s.767.295 (2)(c), Wis. Stats. using the percentage standard, or an amount equal to the amount of child support that the parent was ordered to pay in the most recent determination of support.

A court order for participation in the Children First program is a program requirement that cannot be bypassed.

Participation Requirements

Once an NCP is court ordered to register for the Children First program, the NCP must participate in the program if services are available. The following limits are placed on participation per s. 49.36, Wis. Stats.

- A person who works an average of 32 hours per week in an unsubsidized job is not required to participate in a Children First program.
- The participant may not be required to participate for more than 32 hours per week.
- The participant may not be required to participate for more than 16 weeks in one 12-month period.
- If the participant is required to participate in another employment and training program, the participant may not be required to participate in a Children First program for more than 32 hours minus the number of hours of participation in the other work program.
- If the participant is employed, the person cannot be required to participate in the Children First program for more than 80% of the difference between 40 hours and the number of hours worked in the unsubsidized job.

Program Monitoring

Beginning in CY 2004, DWD will be monitoring compliance with state statutes and policies governing the administration of the Children First Program. Program and policy monitoring will be completed by the Child Support Regional Administrators and will occur during the regularly scheduled on-site visits. In addition, DWD may begin monitoring financial records related to Children First expenditures and claims. Administrative and partner agencies are expected to comply with monitoring requests.

Questions regarding the Children First Program may be directed to Jean Zawacki at 608-266-6822 or jean.zawacki@dwd.state.wi.us.

REGIONAL OFFICE CONTACT: BCS Regional Administrators

Attachments: CY 2004 Allocations

<u>Children First Program CY2004 Allocations</u>					
<u>County</u>		<u>Current Slots</u>		<u>Amount</u>	
BURNETT		7		2,800	
CRAWFORD		2		800	
DANE		231		92,400	
DODGE		12		4,800	
FOND DU LAC		168		67,200	
JEFFERSON		7		2,800	
KENOSHA		236		94,400	
LAC DU FLAMBEAU TRIBE		3		1,200	
MANITOWOC (Sheboygan/Manitowoc)		50		20,000	
MARINETTE		15		6,000	
MARQUETTE		2		800	
MILWAUKEE		1077		430,800	
OUTAGAMIE		9		3,600	
PORTAGE		8		3,200	
RACINE		675		270,000	
RUSK		7		2,800	
SAUK		10		4,000	
SAWYER (Sawyer/Washburn)		22		8,800	
SHEBOYGAN (Sheboygan/Manitowoc)		19		7,600	
TREMPEALEAU		6		2,400	
VERNON		7		2,800	
WALWORTH		6		2,400	
WASHBURN (Sawyer/Washburn)		2		800	
WAUKESHA		194		77,600	
WAUPACA		4		1,600	
FLOV Consortium - Forward Services (Forest/Langlade/Oneida/Vilas)		24		9,600	
Southwest Consortium (Grant, Green, Iowa, Lafayette, Richland)		15		6,000	
TOTAL		2818		1,127,200	